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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,795	01/03/2002	Hiroyasu Kuramatsu	8008-1001	8535

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EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,795

Applicant(s)

KURAMATSU, HIROYASU

Examiner

Angelica M. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuechler (Kuechler et al.; US Patent No.: 6,108,630 A) in view of Kita (Kita, Kazunori; US Patent No.: 6,263,218 B1).

Regarding claims 1, Kuechler teaches of a telephone terminal (column 1, lines 5-7), outputting information denoting a caller when a call is received (column 2, lines 5-29).

Kuechler does not teach where the telephone terminal is portable and where it comprises an earphone/microphone.

In related art concerning an incoming call system, Kita teaches of a portable telephone terminal comprising (column 1, lines 6-10): an earphone/microphone (figure 23, item 61). Also Kita teaches where the earphone/microphone outputs information when a call is received (column 2, lines 25-31).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kuechler's telephone terminal, outputting an information denoting a caller when a call is received with Kita's portable telephone

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terminal comprising an earphone/microphone in order to adapt the system to a more up to date technology.

Regarding claim 2, Kuechler and Kita teach all the limitations according to claim 1. Kita further teaches of the terminal comprising: a connection monitoring circuit which monitors whether the earphone/microphone is connected to the portable telephone terminal (column 9, lines 24-35 and column 10, lines 14-24; e.g., the "monitoring circuit" comprises items 128, 129, 132, etc.) and; an information output switching circuit which switches an information output to the earphone/microphone when the connection monitoring circuit determines that the earphone/microphone is connected to the portable telephone terminal (column 24-35; where the switch switches the output to voice when the jack is connected to the earphone/microphone terminal) change is made and an informing circuit which informs regarding the information (column 12, lines 20-29), the informing circuit being outputted as voice from the earphone/microphone when the information output switching circuit switches the information output to the earphone/microphone (column 24-31). Kuechler further teaches where information concerns to denoting a caller when a call is received (column 2, lines 5-29).

Regarding claim 3, Kuechler and Kita teach all the limitations according to claim 2. Kita further teaches of the terminal comprising: a display that displays characters and visual information (column 11, lines 11-14); and a receiver which outputs voice information (figure 4, item 23).

Regarding claim 4, Kuechler and Kita teach all the limitations according to claim 3. Kita further teaches where the information output switching circuit switches the

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information output to the display and the receiver when the connection monitoring circuit determines that the earphone/microphone is not connected (column 7, lines 14-19).

Regarding claim 5, Kuechler and Kita teach all the limitations according to claim 2. comprising: a data receiving circuit which receives upon receipt of a call caller data which is data unique to the caller transmitted from a terminal of the caller; and a registering circuit which registers the caller data and caller information which is information specifying the caller and which corresponds to the caller data (column 2, line 19-29; where the "identification information" is unique for each caller and the predefined computer readable telephone names and numbers registers the number).

Regarding claim 6, Kuechler and Kita teach all the limitations according to claim 5. Kuechler further teaches where the caller data is data that represents a telephone number of the caller (column 2, lines 22-25).

Regarding claim 7, Kuechler and Kita teach all the limitations according to claim 5. Kuechler also teaches where the caller information is information which represents the name of the caller (column 2, lines 22-25; where identification information includes "name of the caller").

Regarding claim 8, Kuechler and Kita teach all the limitations according to claim 5. Kuechler further teaches where when the caller data received by the data receiving circuit matches with the caller data registered through the registering circuit, the informing circuit informs regarding the caller information that corresponds (column 2, lines 19-25).

Regarding claim 12, Kuechler and Kita teach all the limitations according to claim 2. Kita further teaches of an operation switching circuit which switches an operation based on an instruction which is inputted by operating the earphone/microphone when the connection monitoring circuit determines that the earphone/microphone is connected and when the information output switching circuit switches the information output to the earphone/microphone (column 24-31; where the switching of outputted information confirms the instructed switching operation).

Regarding claim 13, Kuechler and Kita teach all the limitations according to claim 12. Kita further teaches where the operation switching circuit operates the earphone/microphone upon receipt of the call and outputs the informing circuit as voice from the earphone/microphone (column 6, lines 50-55).

Regarding claim 14, Kuechler and Kita teach all the limitations according to claim 12. Kita further teaches where the operation switching circuit operates the earphone/microphone and shifts the operation of taking the call when an operation of informing regarding the information denoting the caller is initiated by the informing circuit (column 12, lines 20-29; where all the notification information is provided before the called party takes the call).

Regarding claim 17, Kuechler and Kita teach all the limitations according to claim 12. Kuechler further teaches where the operation switching circuit recognizes voice information which is inputted through the earphone/microphone and switches an operation in accordance with a predetermined instruction which is inputted based on the

recognized voice information (column 9, lines 29-37; where the predetermined instructions are to "query the company phone list").

3. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuechler (Kuechler et al.; US Patent No.: 6,108,630 A) in view of Kita as applied to claim 1 above, and further in view of Heriksson (Heriksson, Hannu; US patent No.: 5,845,219 A).

Regarding claim 9, Kuechler and Kita teach all the limitations according to claim 5.

Kuechler and Kita teach do not teach where when the caller data received by the data receiving circuit fails to match with the caller data registered through the registering circuit, the informing circuit informs regarding the caller data received by the data receiving circuit.

In related art concerning a mobile station with a priority call alerting function, Heriksson teaches where when the caller data received by the data receiving circuit fails to match with the caller data registered through the registering circuit, the informing circuit informs regarding the caller data received by the data receiving circuit (columns 1 and 2, lines 59 and 1-8, respectively; where inhibition of the audible alert informs of a no match).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kuechler's and Kita's telephone terminal, outputting an information denoting a caller when a call is received when a matching was encountered

with Heriksson's unmatched situation in order to provide a more complete incoming call notification system.

Regarding claim 10, Kuechler and Kita and in further view of Heriksson teach all the limitations according to claim 5. Kita also teaches where the portable telephone terminal comprises message registering circuit which registers a predetermined message (column 1, lines 38-42; where the predetermined message can be an automatic answering message).

Regarding claim 11, Kuechler and Kita and in further view of Heriksson teach all the limitations according to claim 10. Kita also teaches where when the caller data is not received upon receipt of the call, the predetermined message is outputted (column 1, lines 38-42; the prerecorded message is played).

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuechler in view of Kita as applied to claim 12 above, and further in view of Sakanoue (Sakanoue et al.; US patent No.: 6,539,241 B1).

Regarding claim 15, Kuechler in view of Kita teaches all the limitations of claim 14.

Kuechler in view of Kita does not teach where the operation switching circuit operates the earphone/microphone upon receipt of the call and suppresses transition to the operation of informing regarding the information denoting the caller by the informing circuit, and shifts the operation of taking the call.

In related art concerning a paging amplifier for cellular phone, Sakanoue teaches where the operation switching circuit operates the earphone/microphone upon receipt of the call and suppresses transition to the operation of informing regarding the information denoting the caller by the informing circuit, and shifts the operation of taking the call (column 3, lines 26-29).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kuechler's and Kita's telephone terminal notification method with Sakanoue's suppression of denoting caller information in order to take the call without any background noise interruption that would make the call unintelligible.

5. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuechler in view of Kita as applied to claim 12 above, and further in view of Maloney (Maloney John E.; US patent No.: 6,455,169 B1).

Regarding claim 16, Kuechler in view of Kita teaches all the limitations of claim 12.

Kuechler in view of Kita does not teach where the operation switching circuit switches an operation in accordance with a predetermined instruction which is inputted based on how long one or more than one of the switches of the earphone/microphone remain depressed.

In related art concerning portable telephone with multiple function power key, Maloney teaches where the operation switching circuit switches an operation in accordance with a predetermined instruction which is inputted based on how long one or more than one of the switches of the earphone/microphone remain depressed

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(column 6, lines 47-60; where the depression of the key activates the switch according to a predetermined instruction).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Kuechler's and Kita's telephone terminal notification method with Maloney's timing of the switches in order to execute different instruction according to a depressed duration of a switch or switches).

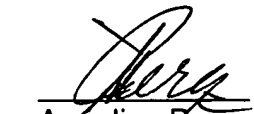
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.


Angelica Perez
(Examiner)


NAY MAUNG
SUPERVISORY PATENT EXAMINER
Art Unit 2684

April 22, 2004